

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
AT CINCINNATI**

TEDDY NICHOLS,	)	Case No. C-1-02-0045
	)	
Plaintiff,	)	Judge Beckwith
	)	
v.	)	
	)	
INDIANA MICHIGAN POWER CO.	)	
RIVER TRANSPORTATION DIVISION	)	
and/or AMERICAN ELECTRIC FUEL	)	
SUPPLY, RIVER TRANSPORTATION	)	
DIVISION,	)	
	)	
Defendant.	)	

**AMENDED NOTICE TO TAKE DEPOSITION**

**TO:**

Gary Wm. Baun, Esq.  
401 S. Old Woodward, Suite 320  
Birmingham, MI 48009  
Attorney for Plaintiff

**WITNESS TO BE DEPOSED:**

Gary D. Herrin, Ph.D.

**DATE AND TIME:**

Monday, July 19, 2004  
at 10:00 a.m.

**PLACE DEPOSITION IS TO**

**BE TAKEN:** At the offices of:

Huron Court Reporters  
623 West Huron Street  
Ann Arbor, MI 48103  
(734) 761-5328

**PLEASE TAKE NOTICE** that at the above-stated date, hour and place, we shall take the deposition of the witness above-stated, pursuant to the Federal Rules of Civil Procedure, for all purposes permitted pursuant to law, before a notary public, at which time the witness hereby being notified shall appear and at which time any party or their attorney may appear and examine, if they

may see fit.

This deposition is subject to continuance from time to time and place to place until completed.

Respectfully submitted,

s/Todd M. Powers  
Todd M. Powers, Esq. (0027122)  
SCHROEDER, MAUNDRELL, BARBIERE & POWERS  
11935 Mason Road, Suite 110  
Cincinnati, OH 45249-3703  
(513) 583-4212 (telephone)  
(513) 583-4203 (facsimile)  
Attorney for Defendants

**CERTIFICATE OF SERVICE**

\_\_\_\_ I hereby certify that a true and accurate copy of the foregoing was served upon the following this 8th day of July, 2004:

Gary Wm. Baun, Esq.  
401 S. Old Woodward, Suite 320  
Birmingham, MI 48009  
(248) 258-6262 (telephone)  
(248) 258-6047 (facsimile)  
Attorneys for Plaintiff

s/Todd M. Powers  
Todd M. Powers